

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of
D. Carl CHRISTENSEN et al.

Serial No.: 10/783,914

Filed: February 20, 2004

Title: SHIPPING PACKAGE SYSTEM FOR
FRAGILE PANELS

) Atty. Ref.: CARR-P002-US (973466/1)

) Group Art Unit: Not Yet Assigned

) May 6, 2004

Mail Stop INTERFERENCE
Board of Patent Appeals and Interferences
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

MAY 14 2004

TECHNOLOGY CENTER 3700

RECEIVED
BOARD OF PATENT APPEALS
AND INTERFERENCES
2004 MAY 10 PM 3:01

**NOTIFICATION OF LITIGATION RELATED TO APPLICATION
INVOLVED IN INTERFERENCE UNDER 37 C.F.R. §1.660(d)**

Sir:

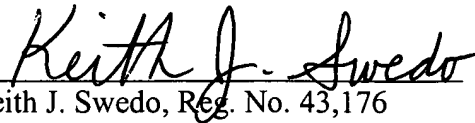
On February 20, 2004, the filing date of the above-identified application, Applicants requested that an interference be declared with another application entitled "SHIPPING PACKAGE SYSTEM FOR FRAGILE PANELS", filed September 2, 2003, by Arch W. Carroll, Jr.

Pursuant to 37 C.F.R. §1.660(d), Applicants hereby notify the Board of litigation related to the two applications involved in the above-identified request for interference. More specifically, Carroll Container Corporation, the assignee of the above-identified application filed February 20, 2004, filed an Answer and Counterclaim on April 28, 2004 in Grant Superior Court in Indiana (Cause No. 27D01-0403-PL-159) in response to a Complaint by Arch W. Carroll, the applicant of the application filed September 2, 2003. In the Answer and Counterclaim, Carroll Container Corporation requests a declaratory judgment declaring Carroll Container Corporation to be the sole owner of the invention that is the subject of the applications involved in the above-identified request for interference.

NOTIFICATION OF LITIGATION RELATED TO APPLICATION INVOLVED IN
INTERFERENCE UNDER 37 C.F.R. §1.660(d)

Page 1 of 2

Respectfully submitted,



Keith J. Swedo, Reg. No. 43,176

Baker & Daniels

300 North Meridian Street, Suite 2700

Indianapolis, IN 46204

Phone: (317) 237-1469

Fax: (317) 237-1000

E-mail: keith.swedo@bakerd.com

KJS:kjw

3728

PTO/SB/92 (08-03)

Approved for use through 07/31/2006. OMB 0561-0031

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Certificate of Mailing under 37 CFR 1.8

This correspondence, consisting of:
NOTIFICATION OF LITIGATION RELATED TO APPLICATION INVOLVED IN
INTERFERENCE UNDER 37 C.F.R. §1.660(d); and
return postcard.

I hereby certify that this correspondence is being deposited with the United States Postal Service
with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

MAY 14 2004

TECHNOLOGY CENTER 3700

on May 6, 2004

Date

RECEIVED
MAY 10 PM 3:01
DEPT. OF COMMERCE
PATENT AND TRADEMARK OFFICE



Signature

Karen J. Whittenburg, Paralegal

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify
each submitted paper.

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.